

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Patent Application of

KETTUNEN

Atty. Ref.: 10-1304

Reissue of Patent No.: 5,779,856

Granted: July 14, 1998

For: COOKING CELLULOSE MATERIAL USING HIGH
ALKALI CONCENTRATIONS AND/OR HIGH PH
NEAR THE END OF THE COOK

March 10, 2000

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

REISSUE DECLARATION OF AUVO K. KETTUNEN

1. My residence and post office and citizenship are stated below next to my signature.

2. I believe that I am the original, first, and sole inventor of the subject matter of the invention as described and claimed in U.S. Patent 5,799,856 (hereinafter "the '856 patent") which issued on July 14, 1998, and am one of the co-inventors of U.S. Patent 5,635,026 (hereinafter "the '026 patent") which issued on June 3, 1997, the '856 patent being a true continuation-in-part of the '026 patent.

3. I have reviewed and understand the contents of the above identified reissue application including the original claims 1 through 21 as well as claims 22 through 46 added in this reissue application. I acknowledge my duty to disclose information of which I am aware to the examination of the reissue application in accordance with 37 CFR §1.56.

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4. I believe that the '856 patent is wholly or partly inoperative or invalid by reason errors in claiming less than I had a right to claim in the '856 patent. (h)
statement

5. At the time that the application for the '856 patent was originally filed, while I appreciated the scope of the claims being presented therein, I did not appreciate that claims having the same scope as in a subsequently issued patent could be obtained. In particular I refer to U.S. Patent 5,885,414 (the '414 patent) based on an application filed in the United States on August 18, 1997 and issued on March 23, 1999. After I received a copy of the '414 patent, likely in April of 1999, counsel for my employer evaluated the file history of the '414 patent including the citation of a publication that I co-authored in the application. After further study I have now come to the conclusion that the claims of the '414 patent are supported by the disclosure in my '856 patent, including that part of the disclosure of my '856 patent which is in common with the '026 patent, and both the '856 and '026 patents have filing dates earlier than the '414 patent.

{ Therefore, in this reissue application I have copied claims 1 through 25 of the '414 patent. The claims in this reissue application corresponding to the claims in the '414 patent are as follows: claims 22 through 46 in this reissue application correspond to claims 1 through 25, respectively, in the '414 patent. }

6. Shortly after being convinced that the claims of the '414 patent are fully supported by both the '856 and '026 patents, I instructed that the present reissue application be filed and I attempted to proceed promptly thereafter.

7. In addition to the art of record in the '856 case, I hereby bring to the attention of the Patent & Trademark Office the art of record in the '414 patent, a copy of each of

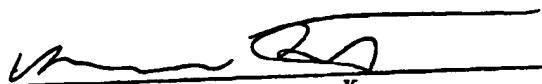
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the references therein being submitted with this application and all of the references being in the English language.

8. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. And I hereby appoint **NIXON & VANDERHYE P.C., 1100 North Glebe Road, 8th Floor, Arlington, VA 22201-4714, telephone number (703) 816-4000 (to whom all communications are to be directed)**, and the following attorneys to prosecute this reissue application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting reissue patent: Arthur R. Crawford, 25327; Larry S. Nixon, 25640; Robert A. Vanderhye, 27076; James T. Hosmer, 30184; Robert W. Faris, 31352; Richard G. Besha, 22770; Mark E. Nusbaum, 32348; Michael J. Keenan, 32106; Bryan H. Davidson, 30251; Stanley C. Spooner, 27393; Leonard C. Mitchard, 29009; Duane M. Byers, 33363; Jeffry H. Nelson, 30481; John R. Lastova, 33149; H. Warren Burnam, Jr. 29366; Thomas E. Byrne, 32205; Mary J. Wilson, 32955; J. Scott Davidson, 33489; Alan M. Kagen, 36178; Robert A. Molan, 29834; B. J. Sadoff, 36663; James D. Berquist, 34776; Updeep S. Gill, 37334; Michael J. Shea, 34725; Donald L. Jackson, 41090; Michelle N. Lester, 32331; Frank P. Presta, 19828; Joseph S. Presta, 35329; Joseph A. Rhoa, 37515

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Inventor's Signature:



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* * * * *

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

CONSENT OF ASSIGNEE AND OFFER TO SURRENDER

Ahlstrom Machinery Inc., as assignee by an Assignment recorded in the Patent and Trademark Office on June 30, 1997, being the owner of all right, title and interest in the above identified patent, hereby consents to the filing of an application for said reissue of said U.S. Patent 5,779,856 and hereby offers to surrender the original grant of said patent when required to do so in the reissue proceedings. The undersigned officer of assignee hereby certifies pursuant to 37 CFR §3.73 that the evidentiary documents referred to above have been reviewed and that to the best of assignee's knowledge and belief title is in the assignee seeking to take this action.

AHLSTROM MACHINERY INC.



**David T. Pluta
Secretary**

Date: March 16, 2000